

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

Maria J. Rosario Rosario

Debtor

CASE NO.: 10-07442 BKT

CHAPTER 13

**RESPONSE TO OBJECTION TO CLAIM**

**COMES NOW** Mueblerías Berríos (hereinafter Berríos) through the undersigned attorney and very respectfully states and preys:

1. The Debtor objected the secured claim filed by Berríos alleging that Berríos has failed to submit evidence of the registry at the Department of State in order to establish its secured status.
2. Debtor's objection should be denied as a matter of law.
3. Pursuant to the provisions of Section 9-302 of the Uniform Commercial Code adopted in Puerto Rico by 19 L.P.R.A. 2102, Berríos' security interest in the consumer goods acquired pursuant to the agreement executed by the Debtor on March 8, 2009 for the purchase of goods, was perfected upon the execution of the agreement, and no additional action was required for the perfection of the same.
4. 19 L.P.R.A. 2102 states as follows:
  - §2102 When filing is required to perfect security interest; security interests to which filing provisions of sections 2001-2207 of this title do not apply
    - (1) A financing statement must be filed to perfect all security interests except the following:
      - (d) A purchase money security interest in consumer goods; but filing is required for a motor vehicle required to be registered;...

5. The security interest held by Berríos is over consumer goods acquired by the Debtor. Pursuant to 19 L.P.R.A. 2102, Berríos does not need to file any document in the Department of State in order to perfect its lien.
6. Berríos is exempt from filing a UCC-1 form with the Department of State in order to perfect its lien over the goods purchased by the Debtor.
7. Due to the facts stated above, we request this Honorable Court to deny Debtor's objection to claim #2 filed by Berríos.

**RESPECTFULLY SUBMITTED.**

In Caguas, Puerto Rico this 6 day of October 2010.

**I HEARBY CERTIFY** that on this date I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the parties appearing in said system.

s/Isayra Bague Diaz, Esq.  
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